

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 18 2007

CATHY A. GATTERSON, CLERK
U.S. COURT OF APPEALS

QK HOTEL, LLC, a Hawaii LLC,

Defendant,

and

KG HOLDINGS, LLC; PUKALANI
GOLD CLUB, LLC; KG MAUI
DEVELOPMENT, LLC,

Defendants - Appellees,

v.

SPORTS SHINKO CO., LTD., a Japanese
corporation in reorganization, through
Keijiro Kimura, its Deputy Trustee,

Plaintiff-third-party-defendant -
Appellant,

and

FRANKLIN K. MUKAI,

Defendant-third-party-plaintiff,

v.

SPORTS SHINKO (US) CO., LTD., a
Delaware corporation,

Third-party-defendant -
Appellant.

No. 07-16069

D.C. No. CV-04-00126-ACK

**TIME SCHEDULE
ORDER**

RECEIVED
CLERK U.S. DISTRICT COURT

JUN 21 2007

DISTRICT OF HAWAII

The parties shall meet the following time schedule:

Appellant/petitioner shall immediately file the civil appeals docketing statement (CADS), pursuant to Circuit Rule 33-1;

6/8/07 Appellant/petitioner shall notify appellee/respondent of transcripts to be ordered, pursuant to 9th Cir. R. 10-3.1(a);

6/18/07 Appellee/respondent shall notify appellant/petitioner of any additional transcripts needed, pursuant to 9th Cir. R. 10-3.1(b);

6/28/07 Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to 9th Cir. R. 10-3.1;

7/30/07 Court reporter shall file transcript in the district court, pursuant to FRAP 11(b) and 9th Cir. R. 11-1.1;

9/14/07 Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;

10/15/07 The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

******* The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1

Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.

FOR THE COURT:

Cathy A. Catterson
Clerk of Court

A handwritten signature in dark ink, appearing to be 'GR' or similar initials, written above the name Gerald Rosen.

By: Gerald Rosen
Deputy Clerk